

REMARKS

Claims 1-3, 5-12, and 37-67 are pending. Claim 59 has been amended, claims 4 and 13-36 have been canceled, and new claims 65-67 have been added to recite additional features of the embodiments disclosed in the specification.

Reconsideration of the application is respectfully requested for the following reasons.

In the Office Action, claims 1-3, 5, 18, 20, 29-31, 37-39, 48-50, and 59-64 were rejected under 35 USC § 103(a) for being obvious in view of a Wang-Aggarwal combination. Applicants request the Examiner to withdraw this rejection for the following reasons.

Claim 1 recites receiving reference multimedia data with a data structure that has three types of information: (1) features of said reference multimedia data, (2) weight information of said features, and (3) **reliability information indicating a reliability of the weight information**. In rejecting claim 1, the Examiner acknowledged that the Wang patent does not teach or suggest the reliability information in claim 1. The Aggarwal publication was cited to supply these features.

However, Aggarwal determines a different type of reliability than the claimed invention. The reliability information of the claimed invention provides an indication of the reliability of weight information that relates to reference multimedia data. Based on this type of reliability information, more relevant images will be returned by a multimedia data search compared with other multimedia search methods. The Aggarwal publication does not disclose determining reliability information of this type.

The focus of the Aggarwal publication is to improve the accuracy and reliability of a computer system that includes multiple software modules. This is accomplished by comparing the performance of the modules based on test and opinion data, which provide an indication of how probable one software module is likely to fail compared to other software modules. Weights are then assigned to the modules based on these probabilities. By assigning weights within an analytical hierarchy process, software managers will be able to better determine the accuracy and reliability of their computer systems. (See page 56, second column, first full paragraph).

The Aggarwal publication does not relate in any way to determining the reliability of weight information provided for reference multimedia data. Rather, Aggarwal is essentially a diagnostic tool aimed at improving the design and operation of a computer system so that its software operates with reduced error. Aggarwal does not mention anywhere throughout its disclosure the concept of determining the reliability of weight information for multimedia data. The Aggarwal method, therefore, is very different from the invention of claim 1 in terms of its structure, function, and application.

Applicants further note that, in the Office Action, the Examiner compared the relative reliability weights of Aggarwal to the reliability information of claim 1. However, such a comparison cannot properly be made. Aggarwal discloses “reliability weights,” not reliability of the weights. That is, the word “reliability” in Aggarwal is used as an adjective to describe the type of weights assigned to each software module, not to describe the reliability of the weights themselves. See item 3 at the second column of page 57, which discloses computing the relative

reliability weights at each level. This part of Aggarwal does not disclose computing the relative reliability of the weights, but only discloses computing the weights themselves.

This is also apparent from page 58, column 1, which discloses that each of the relative reliability weights corresponds to the notation WP_j^I . This notation defines the weights of programs j that correspond to functions I performed by those programs. The notation WP (or WF) does not provide an indication of the reliability of the weights themselves as required by claim 1.

Applicants further note that, at page 58, the Aggarwal publication discloses assigning a reliability value Rf_i . However, this value does not provide an indication of the reliability of weights assigned to multimedia data, but rather provides an indication of the reliability of the **functions** of the software modules in the Aggarwal computer system. (See page 58, column 1, fifth paragraph). Moreover, Aggarwal discloses that the reliability values Rf_i are determined by combining the weights (page 58, first column, third paragraph). But, Aggarwal does not disclose that Rf_i provides an indication of the reliability of those weights.

Because the Aggarwal publication does not teach or suggest the specific type of reliability information recited in claim 1 (i.e., reliability information indicating a reliability of the weight information that relates to reference multimedia data), Applicants submit that any combination formed between Wang and Aggarwal will also fail to include these features. Based on these differences, it is respectfully submitted that claim 1 and its dependent claims are allowable.

Claims 37, 48, and 59 recite features similar to those which patentably distinguish claim 1

from a Wang-Aggarwal combination. Applicants therefore submit that these claims are allowable along with their dependent claims.

Applicants request withdrawal of the rejection of claims 6-11 under 35 USC § 103 on grounds that the Kinra patent does not teach or suggest the features of base claim 1 missing from the Wang patent and Aggarwal publication, and request withdrawal of the rejection of claims 12, 21-23, 32-36, 40-47, and 51-58 under 35 USC § 103 on grounds that the Rose patent does not teach or suggest the features of base claims 1, 18, 37, and 48 missing from the Wang, Aggarwal, and Kinra references.

Claims 18-20-23, and 29-64 were rejected under 35 USC § 101 for failing to recite patentable subject matter. Of these only, claims 37, 48, 59, and their dependent claims remain. The other § 101 rejected claims have been canceled.

Claim 37 recites method which is certainly one of the four statutory classes of subject matter recognized under § 101. Claim 37 also recites a useful, concrete, and tangible result that gives the claimed invention real-world value. Searching a storage system for multimedia information constitutes such a result. Moreover, the claimed invention provides a better search result when an image search is repeated and achieves an effective and accurate search or browsing method/system using the feature information, weight information, and reliability information (or determined reliability). (See Paragraphs [72]-[75] of the specification for examples of these useful results).

Claims 48 and 59 recite a system or method (also statutory classes) that achieve similar useful results that constitute a real-world application. In addition, claim 59 has been amended to emphasize that its method is for “searching or browsing multimedia data” which constitutes a real-world application of a useful, concrete and tangible result. Withdrawal of the § 101 rejection is respectfully requested for the foregoing reasons.

New claims 65-67 have been added to further define the inventions of claims 37, 48, and 59. Each of these claims recites outputting results of the search on a terminal screen. Applicants submit that these features constitute an additional way in which the claimed invention produces useful, concrete, and tangible result representing a real-world application.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application are respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and

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please credit any excess fees to such deposit account.

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